

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FEB 13 2013

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTONUnited States District Court
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

WILLIAM MARTIN SHAWL


CASE NUMBER: MJ-13-059

(Name & Address of Defendant)

I, the complainant in this case, state the following is true and correct to the best of my knowledge and belief.

Between on or about November 29, 2012, and February 12, 2013, in the Eastern District of Washington, WILLIAM MARTIN SHAWL, a person required to register under the Sex Offender Registration and Notification Act, and a sex offender by reason of a conviction under Federal Law, did knowingly fail to register and update a registration, in violation of 18 U.S.C. § 2250(a).

This complaint is based on these facts:

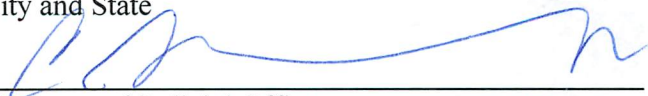
Continued on the attached sheet incorporated herein by this reference. ☒ Yes ☐ No

 Signature of Complainant William Downey
 Deputy U.S. Marshal, U.S. Marshals

Sworn to before me and signed in my presence

February 13, 2013

 Date
 Cynthia Imbrogno
 United States Magistrate Judge
 Name and Title of Judicial Officer

 at Spokane, Washington
 City and State


 Signature of Judicial Officer

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AUSA Assigned: MFD

RE: Complaint and Arrest Warrant for William Martin SHAWL

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

STATE OF WASHINGTON)

:ss

County of Spokane)

I, William Downey, being first duly sworn on oath, deposes and states:

1. I am a Deputy with the United States Marshals Service (USMS), United States Department of Justice, currently assigned to the U.S. Marshals Office in Spokane, Washington. I have served as a Deputy U.S. Marshal for the past 17 years, with 14 of those years assigned to the Eastern District of Washington.
2. My regular duties as a Deputy U.S. Marshal encompass, among other tasks, the investigation of all violations of federal law and related criminal activities, including but not limited to, offenses contained within Title 18 of the United States Code. I additionally assist with the movement of prisoners; serve court-ordered summons and arrest warrants; and frequently investigate and apprehend federal fugitives. The following information is based on my own observations, training,

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experience, and investigation, together with information provided to me by other Deputy U.S. Marshals in my office.

3. On January 7, 2004, William Martin SHAWL was indicted in the Eastern District of Washington for Aggravated Sexual Abuse, in violation of 18 U.S.C. Section 2241(c).

4. On July 30, 2004, William Martin SHAWL pled guilty to Abusive Sexual Contact With a Person Who is Less Than 12 Years Old, in violation of 18 U.S.C. Sections 1153, 2244(a)(1) and (c). As part of the plea agreement, on page 9, line 13, William Martin SHAWL was directed to “register as a sex offender, according to the laws of each state in which the Defendant resides, is employed, or is attending school.”

5. On January 21, 2005, William Martin SHAWL was sentenced to 20 months imprisonment, and 3 years of supervised release. A conviction under 18 U.S.C. Section 2241(c) is a Tier III offense, requiring lifetime registration.

6. On January 19, 2007, William Martin SHAWL signed a “Requirements to Register Under RCW 9A.44.130.” form with the Okanogan County Sheriff’s Office.

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7. On July 27, 2008, and December 16, 2008, William Martin SHAWL completed a "Registered Sex/Kidnapping Offender Change of Address Form," with the Okanogan County Sheriff's Office.

8. Following an Okanogan County conviction of Failure to Register, William Martin SHAWL was released from Airway Heights Correctional Center in Eastern Washington on November 20, 2012.

9. On November 21, 2012, William Martin SHAWL registered with the Spokane County Sheriff's Office, and provided his address as the Wolfe Apartments, 240 W Sprague Ave. #12, Spokane, Washington.

10. On December 5, 2012, Deputy Downey spoke with an employee of the Wolfe Apartments, Eddie Arnold. Mr. Arnold stated that on November 29, 2012, William Martin SHAWL moved out. Mr. Arnold provided a handwritten note stating "I William Shawl left the Wolfe Apts. voluntarily on 11/29/12." The note was signed by "William Shawl." Mr. Arnold stated that it was a mutual agreement that William Martin SHAWL leave the apartment after he and registered sex offender Theodore Adolph were caught with marijuana, beer, and prostitutes leaving their rooms.

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11. On December 5, 2012, four business days after William Martin SHAWL moved out of his apartment, Deputy Downey checked the Offender Watch database, which is used by Washington State to track sex offenders. The last registration found was from November 21, 2012, for the 240 W. Sprague address. Deputy Downey also checked the Washington State Patrol's Alpha list, containing all registrations received in the State. The Alpha List was last updated on December 4, 2012, and showed the last registration for William Martin SHAWL was on November 21, 2012. Deputy Downey checked the NCIC criminal record for William Martin SHAWL, again finding the last registration as 240 W. Sprague, from November 21, 2012. *Under 18 USC 2250, sex offenders have up to three days to update their registration. (BP)*

12. On December 7, 2012, Deputy Downey spoke with Spokane County Sheriff's Detective John Grandinetti, in the Sex Offender Unit. Detective Grandinetti confirmed that William Martin SHAWL had not provided any further registrations since November 21, 2012.

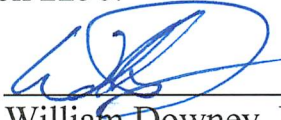
13. On February 12, 2013, William Martin SHAWL was arrested by the Okanogan County Sheriff's Office, within the Eastern District of Washington.

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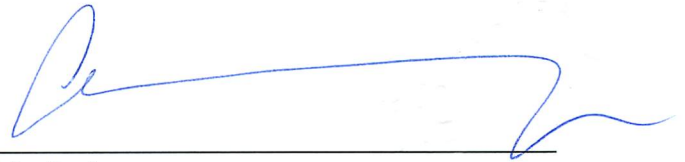
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14. Based upon the foregoing facts, I believe that probable cause exists for the issuance of a Criminal Complaint and arrest warrant for William Martin SHAWL, for violations of Title 18, U.S.C. Section 2250.

A blue ink signature of William Downey, consisting of a stylized 'W' and 'D'.

William Downey, Deputy Marshal
United States Marshals Service

SUBSCRIBED AND SWORN to before me this 13th day of February, 2013.

A blue ink signature of Cynthia Imbrogno, featuring a long, horizontal, flowing line.

Cynthia Imbrogno
United States Magistrate Judge

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